North Carolina Division of Water Quality



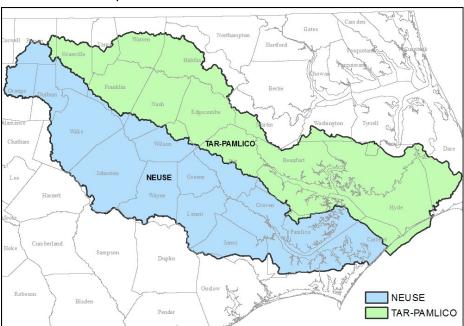
## Neuse & Tar-Pamlico Riparian Buffer Rule Changes 2012



Revised December 2012

Session Law 2012-200 became effective on Aug. 1, 2012. This law changed the application of the Neuse Riparian Buffer Rules (15A NCAC 02B .0233) and Tar-Pamlico Riparian Buffer Rules (15A NCAC 02B .0259).

The new law and related rule changes apply only to the construction of single-family residences on existing lots located in the counties shown on the map below.



For the session law's buffer rule changes to apply, all of the following requirements must be met:

- The property must be in the Neuse or Tar-Pamlico river basin;
- The property must meet the definition of an existing lot;
- The development must be for the construction of a singlefamily residence and its necessary infrastructure;
- And, construction of the single -family residence and its necessary infrastructure would

otherwise be prevented by the Neuse or Tar-Pamlico Buffer Rules.

# If all of the previously listed requirements are met, what does that mean for my property?

The protected riparian buffer has not changed with this law. However, a single-family home may potentially be built adjacent to a waterway or marsh if the following requirements are met:

 The single-family residence must be set back the maximum feasible distance from the top of the bank, the nor-

#### **GLOSSARY OF TERMS**

**Riparian Buffer** Area of vegetated land next to a body of water.

**Coastal Marsh** Same as coastal wetlands shown in diagram on page two.

**Diffuse Flow** Overland flow of water that is spread out over the landscape, not concentrated into a defined channel.

**Existing Lot** A lot of two acres in size or less that was platted and recorded in the appropriate county Register of Deeds prior to Aug. 1, 2000.

Impervious Surface Land cover that prevents infiltration of water into the ground (e.g., roof top, concrete).

mal water level or normal high -water level (whichever is applicable). It must be designed to minimize encroachment into the protected riparian buffer.

- The single-family residence must be a minimum of 30 feet landward of the top of the bank, the normal water level or normal high-water level (whichever is applicable).
- Stormwater generated by new impervious surface must be treated and diffuse flow maintained through the protected riparian buffer.

continued on reverse side

 No part of a septic tank or drainfield may encroach into the protected riparian buffer.

### How do I obtain approval to apply the provisions of the session law to my property?

If you meet all of the requirements outlined in this document and wish to apply the session law provisions to your property, please contact the N.C. Division of Water Quality regional office nearest your property's location.

Division staff will verify that all requirements of the law have been met and will evaluate whether the *No Practical Alternatives* requirement of the Neuse and Tar-Pamlico Buffer Rules has been met.

A Buffer Authorization or Variance may be required for impacts to the protected riparian buffer.

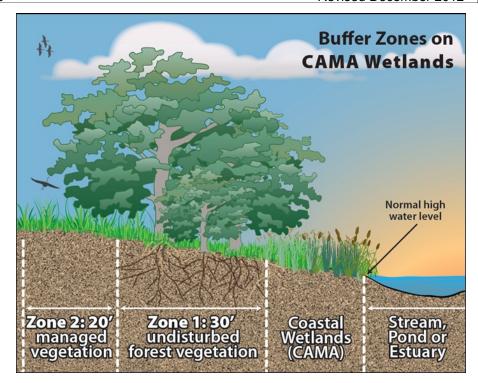
### Who should I contact at the Division of Water Quality?

Raleigh Regional Office danny.smith@ncdenr.gov 919-791-4252

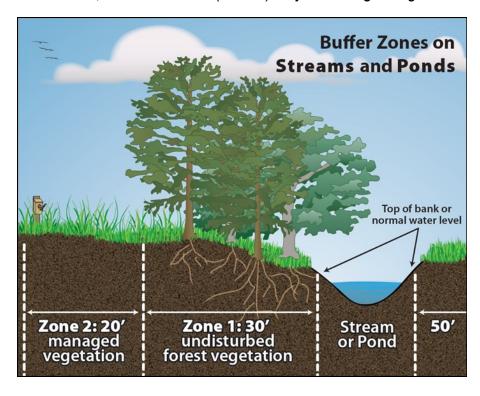
Washington Regional Office <a href="mailto:amy.adams@ncdenr.gov">amy.adams@ncdenr.gov</a> 252-948-3917

Wilmington Regional Office joanne.steenhuis@ncdenr.gov 910-796-7306

Central Office <a href="mailto:karen.higgins@ncdenr.gov">karen.higgins@ncdenr.gov</a> 919-807-6360



In the Neuse and Tar-Pamlico river basins, there is a 50-foot protected riparian buffer that is divided into two zones. The 30 feet closest to the water or coastal marsh (Zone 1) must remain undisturbed; the outer 20 feet (Zone 2) may be managed vegetation.



#### Additional information can be found at these websites:



DWQ Regional Offices Map <a href="http://portal.ncdenr.org/web/wq/ws/su/statesw#tab-2">www.ncwaterquality.org</a>
Coastal Stormwater Permitting <a href="http://portal.ncdenr.org/web/wq/ws/su/statesw#tab-2">http://portal.ncdenr.org/web/wq/ws/su/statesw#tab-2</a>
DWQ Buffer Rules Information <a href="http://portal.ncdenr.org/web/wq/swp/ws/401/riparianbuffers">http://portal.ncdenr.org/web/wq/swp/ws/401/riparianbuffers</a>